

AN INITIATIVE TO DECRIMINALIZE AND REGULATE CANNABIS (HEMP INCLUDING MARIJUANA)

BE IT ENACTED BY THE PEOPLE OF THE STATE OF ALASKA

I. This legislation supersedes all other state laws and policies regarding the plant of the genus cannabis, hereafter referred to as cannabis, and all subspecies, identified as hemp, marijuana, marihuana or in any other manner or by any name whatsoever.

II. The State or any political subdivision thereof shall not prohibit nor require a permit or license for the agricultural production and use of cannabis as industrial hemp, defined as any hemp-derived product containing less than one percent tetrahydrocannabinol by weight. All sections of law that impose civil or criminal penalties or sanctions upon the industrial uses of cannabis are hereby repealed.

III. All sections of law that impose civil or criminal penalties or sanctions for the possession or cultivation of cannabis by adults for personal or medical use are hereby repealed.

IV. Non-commercial exchanges of cannabis among consenting adults shall not result in civil or criminal penalties or sanctions. All sections of law that impose civil or criminal penalties or sanctions upon such exchanges by adults are hereby repealed.

V. The State may tax and regulate the intrastate commercial production and distribution of cannabis to the extent that it is not prohibitive in scope or intent. The legislature shall have until the conclusion of the second legislative session following passage of this initiative to adopt legislation allowing for the taxing and regulating of the intrastate commercial production and distribution of cannabis or the taxation and regulation of intrastate commercial production and distribution of cannabis shall fall to the localities.

VI. Nothing in this Act shall be construed as amending or repealing any laws concerning possession by or delivery of non-industrial cannabis to

minors.

VII. Nothing in this Act shall be construed as amending or repealing any laws concerning regulating or prohibiting persons under the influence of cannabis from operating a motor vehicle, heavy machinery, or otherwise engaging in conduct that may affect public safety.

VIII. Nothing in this Act shall bar the State or any political subdivision thereof from regulating the use of personal, non-industrial cannabis products in public places.

IX. Being under the influence of cannabis shall not be an excuse for reckless behavior nor a legal defense in establishing culpability or liability.

X. The State legislature shall take all steps necessary to bring the Alaska Statutes and Administrative Code into compliance with these provisions.

XI. This law is an exercise of States Rights, and does not allow, advocate or otherwise involve interstate or international commerce, nor does it authorize export of cannabis for other than industrial use.

XII. Severability: If any provision of this initiative, or the application of such provision to any person or circumstance, shall be held invalid by any court, the remainder of this initiative to the extent that it can be given effect, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this end the provisions of this initiative are severable.